

United States District Court  
For the Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SWITCHCORE AB (PUBL),

Plaintiff,

v.

ESILICON CORPORATION,

Defendant.

Case No. CV-10-02352 LHK

STIPULATED REQUEST FOR STAY  
AND ORDER GRANTING STAY

Plaintiff SwitchCore AB (PUBL) (“SwitchCore”) and Defendant eSilicon Corporation (“eSilicon”) (collectively referred to herein as the “Parties”) hereby stipulate as follows:

Whereas, the Parties have reached agreement on payment terms to resolve SwitchCore’s pending Petition to Confirm Arbitral Award and for Entry of Judgment and memorialized those terms in a Stipulated Judgment;

Whereas, the Stipulated Judgment has been executed and sets forth the calculation of principal, interest, and costs under the Parties’ settlement agreement;

Whereas, Plaintiff will file the Stipulated Judgment with the Court if, and only if, Defendant fails to make scheduled payments, as described below;

1           Whereas, SwitchCore and eSilicon agree that the outstanding amount as of August 24, 2010  
2 (including interest up to and including August 24, 2010) is \$1,543,525.12, with additional interest  
3 accruing daily after that date.

4           Whereas, eSilicon has agreed to pay within two business days of this stipulation being  
5 entered as an order the amount of \$515,000, which represents approximately one-third of the  
6 outstanding amount;

7           Whereas, eSilicon has agreed to pay on or before October 15, 2010, the balance of the  
8 amount due equal to \$1,028,525.12 (plus applicable interest, which continues accruing until  
9 payment is made);

10           Whereas, if eSilicon makes the payments described herein, this action will be dismissed  
11 with prejudice shortly after October 15, 2010;

12           Whereas, if eSilicon fails to make the payments described herein, eSilicon has agreed to  
13 have judgment entered against it and pay \$50,000 for SwitchCore's attorneys' fees and expenses  
14 associated with this action;

15           Whereas, SwitchCore agrees to halt any further collection efforts in the United States or  
16 Sweden and further agrees not to resume such efforts unless eSilicon fails to make the payments  
17 described in this Stipulation ;

18           Whereas, SwitchCore will promptly affirmatively notify the Swedish Enforcement Agency  
19 (Sw. Kronofogdemyndigheten) of this Stipulation and request that the Swedish authorities suspend  
20 their collection efforts pending eSilicon's satisfaction of the terms of this Stipulation;

21           Whereas, upon eSilicon's satisfaction of the terms of this Stipulation by October 15, 2010,  
22 SwitchCore will promptly request that the Swedish authorities permanently halt their collection  
23 efforts; and

24           Whereas, the Parties requests the Court stay this action, and schedule a Case Management  
25 Conference for October 27, 2010 or a date thereafter convenient for the Court.

26           IT IS SO STIPULATED.  
27  
28

1 Dated: August 27, 2010

MORRISON & FOERSTER LLP

2  
3 By: \_\_\_\_\_  
Philip T. Besirof

4 Adam A. Lewis  
5 Philip T. Besirof  
6 Attorneys for Plaintiff  
SwitchCore AB (PUBL)

7 Dated: August 27, 2010

FENWICK & WEST LLP

8  
9 By: \_\_\_\_\_  
Rodger R. Cole

10 Rodger R. Cole  
11 Attorneys for Defendant  
12 eSilicon Corporation  
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15 Pursuant to stipulation, the case is STAYED. A further Case Management Conference is  
16 set for Wednesday, October 27, 2010 at 2 p.m. The parties shall file a stipulation of dismissal and  
17 request to vacate the October 27, 2010 Case Management Conference by Wednesday October 20,  
18 2010.  
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20 IT IS SO ORDERED.  
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22 Dated: August 31, 2010

23   
24 Honorable Lucy H. Koh  
United States District Court Judge  
25  
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